

MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION
COMMONWEALTH OF MASSACHUSETTS
1 WINTER STREET
BOSTON, MASSACHUSETTS 02108

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEW ENGLAND - REGION I
OFFICE OF ECOSYSTEM PROTECTION
ONE CONGRESS STREET - SUITE-1100 (CMP)
BOSTON, MASSACHUSETTS 02114-2023

JOINT PUBLIC MEETING, PUBLIC HEARING, AND PUBLIC NOTICE OF A DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE INTO THE WATERS OF THE UNITED STATES UNDER SECTIONS 301 AND 402 OF THE CLEAN WATER ACT (THE "ACT"), AS AMENDED, AND REQUEST FOR STATE CERTIFICATION UNDER SECTION 401 OF THE ACT.

DATE OF NOTICE: December 22, 2004

PERMIT NUMBER: MA0003891

PUBLIC NOTICE NUMBER: MA-008-05

NAME AND MAILING ADDRESS OF APPLICANT:

General Electric Company
159 Plastics Avenue
Pittsfield, MA 01201

NAME AND ADDRESS OF THE FACILITY WHERE DISCHARGE OCCURS:

General Electric Company
159 Plastics Avenue
Pittsfield, MA 01201

RECEIVING WATERS: Housatonic River (East Branch), Unkamet Brook, and Silver Lake

RECEIVING WATERS CLASSIFICATION: B, Warm Water Fishery (Housatonic River Watershed)

PREPARATION OF THE DRAFT PERMIT:

The U.S. Environmental Protection Agency, (EPA) and the Massachusetts Department of Environmental Protection (MADEP) have cooperated in the development of a draft permit for the above identified facility. The effluent limits and permit conditions imposed have been drafted to assure that State Water Quality Standards and provisions of the Clean Water Act will be met. EPA has formally requested that the state certify the draft permit pursuant to Section 401 of the Clean Water Act and expects that the draft permit will be certified.

INFORMATION ABOUT THE DRAFT PERMIT:

A Fact Sheet (describing the type of facility; type and quantity of wastes; a brief summary of the basis for the draft permit conditions; and significant factual, legal and policy questions considered in preparing the draft permit) may be obtained at no cost by writing, calling, or emailing EPA's contact person named below:

Janet Labonte
NPDES Permit Program
EPA Office of Ecosystem Protection
One Congress Street, Suite 1100 (CMP)
Boston, Massachusetts 02114-2023
(617) 918-1667
"labonte.janet@epa.gov"

The administrative record containing all documents relating to the draft permit is on file and may be inspected at the EPA Boston office mentioned above between 9:00 a.m. and 5:00 p.m., Monday through Friday, except holidays. The EPA NPDES Records Center phone number in Boston is: (617) 918-1546.

Copies of the draft permit and fact sheet are on file and may be inspected at the following locations:

EPA's Internet Website: www.epa.gov/ne/ge

Berkshire Athenaeum Public Library
Reference Department
1 Wendell Avenue
Pittsfield, MA 01201
(413) 499-9480

Simon's Rock College of Bard
84 Alford Road
Great Barrington MA 01230
(413) 528-7274

Cornwall Public Library
30 Pine Street
Cornwall, CT 06796
(860) 672-6874

Kent Memorial Library
32 North Main Street
(P.O. Box 127)
Kent, CT 06757 - 0127
(860) 927-3761

Housatonic Valley Association (HVA)
150 Kent Road
Cornwall Bridge, CT 06754
(860) 672-6678

Weston/USACE
10 Lyman Street
Pittsfield, MA 01201
(413) 236-0969

PUBLIC MEETING:

The Regional Administrator has determined, pursuant to 40 C.F.R. §124.12, that a significant degree of public interest exists in this proposed permit and that a public meeting should be held in Pittsfield, Massachusetts to consider this permit. Accordingly, a public meeting will be held on the following date and time:

DATE: Wednesday, January 5, 2005
TIME: 7:00 pm - 8:45 pm
LOCATION: Berkshire Athenaeum Library Auditorium
1 Wendell Ave.
Pittsfield, MA 01201

The following is a summary of the procedures that will be followed at the public meeting:

- a. The Presiding Chairperson will have the authority to open and conclude the meeting and to maintain order.
- b. EPA and MADEP will make short presentations describing the NPDES permit process and the draft permit conditions, and then accept questions from the audience.
- c. Formal oral comments concerning the draft permit will not be accepted; formal oral comments will be accepted at the public hearing, scheduled for February 10, 2005.

PUBLIC HEARING:

The Regional Administrator has determined, pursuant to 40 C.F.R. §124.12, that a significant degree of public interest exists in this proposed permit and that a public hearing should be held in Pittsfield, Massachusetts to consider this permit. Accordingly, a public hearing will be held on the following date and time:

DATE: Thursday, February 10, 2005
TIME: 7:00 pm - 8:45 pm
LOCATION: Berkshire Athenaeum Library Auditorium
1 Wendell Ave.
Pittsfield, MA 01201

In accordance with 40 C.F.R. §124.12, the following is a summary of the procedures that shall be followed at the public hearing:

- a. The Presiding Officer shall have the authority to open and conclude the hearing and to maintain order; and
- b. Any person appearing at such a hearing may submit oral or written statements and data concerning the draft

permit.

PUBLIC COMMENT PERIOD:

The public comment period for the General Electric Company draft permit begins on December 22, 2004 and ends on February 19, 2005. All persons, including applicants, who believe any condition of the draft permit is inappropriate, must raise all issues and submit all available arguments and all supporting material for their arguments in full by the close of the public comment permit (See also: 40 Code of Federal Regulations, Section 124.13). Comments should be directed to the U.S. EPA, Office of Ecosystem Protection, Attention: Brian Pitt, One Congress Street, Suite 1100, Boston, Massachusetts 02114-2023.

If during the public comment period, significant new questions are raised concerning the permit, EPA may require a new draft permit or fact sheet or may reopen the public comment period. A public notice will be issued for any of these actions.

FINAL PERMIT DECISION AND APPEALS:

Following the close of the comment period, and after the public hearings are held, the Regional Administrator will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final permit decision any interested person may submit petition to the Environmental Appeals Board to reconsider or contest the final decision. Requests for formal hearings must satisfy the requirements of 40 Code of Federal Regulations, Section 124.74.

GLENN HAAS, DIRECTOR
DIVISION OF WATERSHED
MANAGEMENT
MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION
BOSTON, MA

LINDA M. MURPHY, DIRECTOR
OFFICE OF ECOSYSTEM PROTECTION
ENVIRONMENTAL PROTECTION AGENCY
BOSTON, MA